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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,322	02/06/2004	Cheng-Chieh Liu	0941-0911P	6485
2292	7590	10/13/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LE, DANG D	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/772,322	<b>Applicant(s)</b> LIU ET AL.	
	<b>Examiner</b> Dang D Le	<b>Art Unit</b> 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. Figures 1A and 1B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 8, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoover et al. (4,910,420).

Regarding claim 1, Hoover et al. shows a seat (Figure 3) for mounting a motor controller (108) for a heat-dissipating device (54) having a base (84), comprising a main body (98) mounting on the base (84) of the heat-dissipating device and having a slot (near 116) to secure the motor controller.

Regarding claim 8, Hoover et al. also shows a heat-dissipating device, comprising:

- A base (84);
- A stator (72) disposed on the base;
- A rotor (54) surrounding the stator and coupled to the stator;
- A motor controller (108) driving and controlling the heat- dissipating device;
- and
- A seat (110) mounted on the base (with 96 to 98) and having a slot (near 116) to secure the motor controller.

Regarding claim 17, Hoover et al. also shows a heat-dissipating device, comprising:

- A base (84);
- A stator (72) disposed on the base;
- A rotor (54) surrounding the stator and coupled to the stator;
- A motor controller (108) driving and controlling the heat- dissipating device;
- and
- A seat (110) mounted on the stator (with 104 to 148) and having a slot (near 116) to secure the motor controller.

4. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Doemen et al. (4,482,849).

Regarding claim 1, Doemen et al. shows a seat (Figures 1, 5, 6, 8 and 9) for mounting a motor controller (30, 59) for a heat-dissipating device (40) having a base

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(28), comprising a main body (65) mounting on the base (28) of the heat-dissipating device and having a slot (62) to secure the motor controller.

Regarding claim 8, Doemen et al. also shows a heat-dissipating device, comprising:

- A base (28);
- A stator (10) disposed on the base;
- A rotor (40) surrounding the stator and coupled to the stator;
- A motor controller (30, 59) driving and controlling the heat- dissipating device;
- and
- A seat (54) mounted on the base (56) and having a slot (62) to secure the motor controller.

Regarding claim 17, Doemen et al. also shows a heat-dissipating device, comprising:

- A base (28);
- A stator (10) disposed on the base;
- A rotor (40) surrounding the stator and coupled to the stator;
- A motor controller (30, 59) driving and controlling the heat- dissipating device;
- and
- A seat (54) mounted on the stator (through pins 15, 17 and base 28) and having a slot (62) to secure the motor controller.

Regarding claims 2-7, 9-16, and 18-23, it is noted that Doemen et al. also shows all of the limitations of the claimed invention.

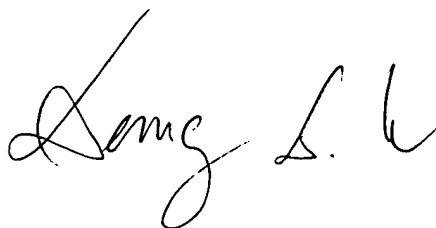
***Information on How to Contact USPTO***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (571) 272-2027. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10/8/04

A handwritten signature in black ink, appearing to read 'Dang D. Le', is written over the signature line.

**DANG LE  
PRIMARY EXAMINER**